

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HJR 753

April 17, 2012

SUMMARY OF AMENDMENT (016699): Deletes the first resolving clause of the resolution. Proposes amending Article VI, Section 3, of the Tennessee Constitution to require judges of the Supreme Court or any intermediate appellate court be appointed for a full term or to fill a vacancy by and at the discretion of the Governor; be confirmed by the Legislature; and thereafter, be elected in a retention election by the qualified voters of the state. Confirmation by default occurs if the Legislature fails to reject an appointee within 60 calendar days of either the date of appointment, if made during the annual legislative session, or the convening date of the next annual legislative session, if made out of session. Authorizes the Legislature to prescribe such provisions as may be necessary to carry out sections two and three of this article. Resolves that this amendment be referred to the 108th General Assembly and that this resolution be published in accordance with Article XI, Section 3, of the Tennessee Constitution.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$18,000/One-Time

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- A one-time cost of \$18,000 to the Secretary of State to print notice of the proposed amendment in statutorily designated newspapers as required by this resolution.
- According to the Secretary of State, the statewide average cost to publish the last three constitutional amendments was \$17,700.
- Because Article XI, Section 3 of the Constitution requires publication of the resolution before the next legislative election, this publication would occur in the spring of 2012.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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/rct